

REMARKS

In the Office Action dated November 7, 2002, claims 1, 4-11, and 14-20 were rejected as being unpatentable under 35 U.S.C. §103(a) in view of U.S. Patent No. 4,732,411 (hereinafter, Siegel) and U.S. Patent No. 5,905,652 (hereinafter, Kutsuma). Claim 1 has been amended to incorporate features of dependent claims 4 and 5.

All the features of claim 1 (as amended) are not shown by Siegel, Kutsuma, or their combination, nor is claim 1 (as amended) obvious in view of Siegel and Kutsuma. For example, neither Siegel nor Kutsuma show an "inventory database." This particular feature is incorporated into claim 1 from claim 5 and is also mentioned on page 5 of the specification, which states that "[t]he primary computer also includes stored in memory . . . an inventory database 28 which contains information relating to the medicine which the pharmacist has in stock." The specification further states that "the inventory database 28 will be periodically updated . . . as the pharmacist's inventory changes." Neither Siegel nor Kutsuma show or teach such a feature. The Office Action appears to concede that Siegel does not show "a database" but does not seem to further address the deficiency Siegel in not showing an "inventory database" neither explicitly or implicitly. An advantage of the method of claim 1 over Siegel and/or Kutsuma is that processes at the pharmacy-end of the medical care process can be automated using the inventory database (e.g., labels are automatically prepared when prescribed medicine is in stock). Kutsuma does not address such issues. Siegel is directed towards the nursing-end of the medical care process and is directed towards avoiding mistakes in dispensing medication to patients by checking their photograph. Siegel does not contemplate nor teach improvements on the pharmacy-end of operations. Accordingly, claim 1 (as amended) is novel and nonobvious in view of Siegel and Kutsuma. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 4 and 5 have been cancelled without prejudice. Claims 6-8 depend from claim 1 (as amended) and should be allowable at least because claim 1 is allowable. Reconsideration is respectfully requested.

Claim 9 has been amended to incorporate all the features of claims 10 and 12-17. Claim 9 should be allowable over Siegel and Kutsuma at least for the

same reasons as those given above for claim 1. Reconsideration and allowance of claim 9 are respectfully requested. Claims 11 and 18, which depend from claim 9, should be allowable at least because claim 9 is allowable. Reconsideration is respectfully requested.

Claims 1, 7-11, 14, 16, and 18 were rejected under 35 U.S.C. §102(a) as being anticipated by Cloninger WO 99/17218 (hereinafter, Cloninger). Cloninger does not show all the features of claim 1 at least because Cloninger does not show "an inventory." Cloninger describes preparing prescription labels having patient photographs and describes techniques for implementing its ideas at the pharmacy-end of the system. Even so, Cloninger still does not show or teach the use of an "inventory database" as is recited in claim 1 (as amended). Pharmacy related techniques are specifically addressed on pages 14-17 of Cloninger without mentioning an "inventory database" or the such. Thus, claim 1 as amended is not anticipated by Cloninger, nor is it obvious in view of Cloninger because the method of claim 1 (as amended) has the advantage of electronically tying the filling of prescriptions with the pharmacy inventory. Reconsideration and withdrawal of the rejection of claim 1 as amended are respectfully requested.

Claims 4 and 5 have been cancelled without prejudice. Claims 7 and 8 depend from claim 1 (as amended) and should be allowable at least because claim 1 is allowable. Reconsideration is respectfully requested.

Claim 9 has been amended to incorporate all the features of claims 10 and 12-17. Claim 9 should be allowable over Cloninger at least for the same reasons as those given above for claim 1. Reconsideration and allowance of claim 9 are respectfully requested. Claims 11 and 18, which depend from claim 9, should be allowable at least because claim 9 is allowable. Reconsideration is respectfully requested.

Claims 4-6, 15, 17, 19, and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cloninger and Kutsuma. Claim 6, which depends from claim 1, should be allowable at least because claim 1 is allowable. Claims 4-5, 15, 17, 19, and 20 have been cancelled without prejudice.


New claims 21-26 have been added that each depend from either independent claim 1 or independent claim 9. Claims 21-26 should be allowable not only because they depend from allowable independent claims 1 and 9, but also

because features recited therein are not shown by Siegel, Cloninger, Kutsuma, or combinations thereof.

Reconsideration and a favorable Office Action are respectfully requested.

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